

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

MALIBU MEDIA, LLC,

**Case Nos. 3:14-cv-448, 3:15-cv-040
and 3:15-cv-114**

Plaintiff,

Judge Thomas M. Rose

-v-

JOHN DOE,

Defendant.

SHOW CAUSE ORDER

Prima facie evidence of copyright infringement must be presented for Plaintiff Malibu Media, LLC (“Malibu”) to obtain a Rule 45 subpoena. Malibu currently has three (3) active cases before this Court: no. 3:14-cv-448, no. 3:15-cv-040 and no. 3:15-cv-114. In each of these three (3) active cases, Malibu has presented evidence of copyright infringement by filing a screen shot of each copyright registration (pages from the “Public Catalog”). However, for some of the copyrights at issue in each of these three (3) cases, the relevant Public Catalog page indicates that the relevant copyright was registered after the date of the alleged infringement. As a result, Malibu has not presented prima facie evidence of ownership of each of the copyrights that were allegedly infringed at the time of the alleged infringement.

Therefore, Malibu is given until not later than April 9, 2015, to show cause as to why these three cases, 3:14-cv-448, 3:15-cv-040 and 3:15-cv-114 should not be dismissed because it has not presented prima facie evidence of ownership of all of the copyrights allegedly infringed.

DONE and **ORDERED** in Dayton, Ohio this First Day of April, 2015.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record